HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.18010 of 2007

Date: 10-09-2007.

Between :

M/s.Sri Shyam Enterprises, Hyderabad,
Rep. by its Proprietor.

.....Petitioner

And

The Assistant Commercial Tax Officer (Int.),
Kamareddy, Nizamabad District.

.....Respondent.

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.18010 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties. Counter has been filed.

The grievance of the petitioner is that a vehicle bearing No. MP-20-SB-1121 together with 16 Metric tons of Maida, was seized by the respondents without any authority of law. When the case came up for hearing before this Court on 23.08.2007, this Court directed release of goods on payment of tax of Rs.9,230/-. It is submitted that the goods have now been released and tax has been paid. In the counter affidavit it is stated that a notice had been given to the petitioner to the effect that Maida being a notified commodity, was being transported without waybills. The petitioner appeared before the respondent on 20th of August 2007 and requested for release of vehicle, but did not file any objections to the notice. The objections were later on filed on 25.08.2007

and the inquiry is pending. Since the matter regarding violation of any law is pending before the authorities, we feel that at this stage, it will not be necessary for this Court to intervene in the matter.

Therefore, the writ petition is disposed of with a direction to the authorities concerned to pass appropriate orders in accordance with law. The release of goods and payment of tax by virtue of the order of this Court shall be without prejudice to the rights of either of the parties.

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BILAL NAZKI, J

10th September 2007.

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RAMESH RANGANATHAN, J

ajr